



**U.S. Department of Justice**

*United States Attorney  
Southern District of New York*

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*The Silvio J. Mollo Building  
One Saint Andrew's Plaza  
New York, New York 10007*

August 29, 2020

**BY ECF**

The Honorable Analisa Torres  
United States District Judge  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

**Re: *United States v. Brian Kolfage, et al.*, 20 Cr. 412 (AT)**

Dear Judge Torres:

The Government respectfully submits this letter to request that the Court set bail conditions for defendants Brian Kolfage, Andrew Badolato, and Timothy Shea at the August 31, 2020 initial conference in this matter.<sup>1</sup> The Government proposes the following bail conditions, with the consent of defense counsel:

**Brian Kolfage**

1. A \$500,000 personal recognizance bond, co-signed by two financially responsible persons within two weeks.
2. Travel is restricted to the Northern District of Florida, except for travel to the Southern District of New York to attend Court and travel to the District of Colorado to meet with defense counsel, and all necessary points between for travel, including travel by car.
3. The defendant must surrender all passports and refrain from making any new applications.
4. Supervision as directed by Pretrial Services.
5. The defendant is prohibited from raising funds on behalf of We Build the Wall or engaging in financial transactions involving We Build the Wall's funds.

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<sup>1</sup> The Honorable Stewart D. Aaron, United States Magistrate Judge, conducted a presentment for defendant Stephen Bannon by remote conference on August 20, 2020, and bail conditions were set at that time. Brian Kolfage, Andrew Badolato, and Timothy Shea were presented in other districts on August 20, 2020, and released with bail conditions pending their appearance in the Southern District of New York.

6. The defendant may not have any contact with co-defendants or other individuals affiliated with We Build the Wall, except in the presence of defense counsel.
7. The defendant shall not transfer any real property or assets, encumber any real property or assets, or obtain any new lines of credit without permission of Pretrial Services.
8. The defendant may not possess firearms and must surrender any firearms to Pretrial Services.

Andrew Badolato

1. A \$250,000 personal recognizance bond, co-signed by two financially responsible persons within two weeks.
2. Travel is restricted to the Middle District of Florida; the Southern District of New York, for purposes of meeting with defense counsel or attending Court; the District of Columbia, for purposes of meeting with defense counsel; and all necessary points between for travel, including travel by car.
3. The defendant must surrender all passports and refrain from making any new applications.
4. Supervision as directed by Pretrial Services.
5. The defendant is prohibited from raising funds on behalf of We Build the Wall or engaging in financial transactions involving We Build the Wall's funds.
6. The defendant may not have any contact with co-defendants or other individuals affiliated with We Build the Wall, except in the presence of defense counsel.
7. The defendant may not possess firearms and must surrender any firearms to Pretrial Services.

Timothy Shea

1. A \$250,000 personal recognizance bond, co-signed by two financially responsible persons within two weeks.
2. Travel is restricted to the District of Colorado, the Southern District of New York for purposes of attending Court and meeting with defense counsel, and all necessary points between for travel, including travel by car.
3. The defendant must surrender all passports and refrain from making any new applications.
4. Supervision as directed by Pretrial Services.

5. The defendant is prohibited from raising funds on behalf of We Build the Wall or engaging in financial transactions involving We Build the Wall's funds.
6. Aside from the defendant's spouse, the defendant may not have any contact with co-defendants or other individuals affiliated with We Build the Wall, except in the presence of defense counsel.
7. The defendant may not possess firearms and must surrender any firearms to Pretrial Services.

Respectfully submitted,

AUDREY STRAUSS  
Acting United States Attorney

By:

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Cc: All Counsel of Record